

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HIGH TEMPERATURE PROCESSING COMPATIBLE METAL GATE ELECTRODE
FOR pFETs AND METHOD FOR FABRICATION

the specification of which

X is attached hereto.

____ was filed on _____ as United States Application Number
or PCT International Application Serial No. _____
and was amended on _____
(If applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Priority Claimed

Number	Country	Day/Month/Year	(Yes)	(No)
Number	Country	Day/Month/Year	(Yes)	(No)
Number	Country	Day/Month/Year	(Yes)	(No)

Docket No. YOR920010633US1
(64,610-062)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date
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I hereby claim the benefit under Title 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information material as defined in 37, C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application of any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therein (list name and registration number):

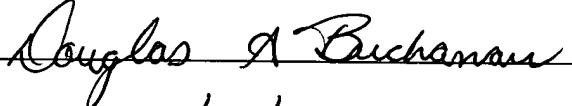
Manny W. Schecter (Reg. 31,722), Lauren C. Bruzzone (Reg. 35,082), Christopher A. Hughes (Reg. 26,914), John E. Hoel (Reg. 26,279), Joseph C. Redmond, Jr. (Reg. 18,753), Richard M. Ludwin (Reg. 33,010), Marc A. Erlich (Reg. 39,966), Gail H. Zarick (Reg. 43,303), Louis J. Percello (Reg. 33,206), Stephen C. Kaufman (29,551), Marian Underweiser (Reg. 46,134), Douglas W. Cameron (Reg. 31,596), Louis P. Herzberg (Reg. 41,500), Daniel P. Morris (Reg. 32,053), Paul J. Otterstedt (Reg. 37,411), Robert M. Trepp (Reg. 25,933), Robert P. Tassinari, Jr. (Reg. 36,030), Derek S. Jennings (Reg. 41,473 and Timothy M. Farrell (Reg. 37,321).

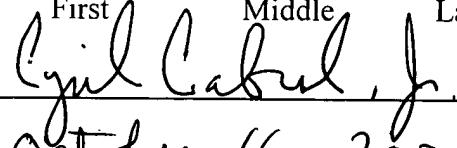
Please send all correspondence concerning this application to the following address:

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Docket No. YOR920010633US1
(64,610-062)

Full name of tenth joint inventor

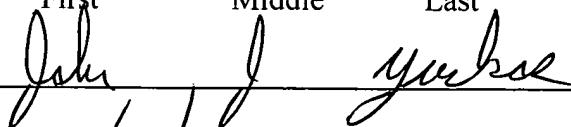
JOHN J. YURKAS

First

Middle

Last

Inventor's Signature



Date



Residence

94 Haig Ave., Stamford, CT 06905

Citizenship

United States of America

Post Office Address

Same as residence

U.S. PATENT AND TRADEMARK OFFICE
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§1.56 Duty to disclose information material to patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application; and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.

(35 U.S.C. 6, Pub. L. 97-247)

[42 FR 5593, Jan. 28, 1977, as amended at 47 FR 21751, May 19, 1982; 48 FR 2710, Jan. 20, 1983; 49 FR 554, Jan. 4, 1984; 50 FR 5171, Feb. 6, 1985; 53 FR 47808, Nov. 28, 1988, effective Jan. 1, 1989; 57 FR 2034, January 17, 1992, effective March 6, 1992]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Rodbell, John J. Yurkas

Serial No.: To Be Assigned
Filed: Filed Herewith

For: High Temperature Processing Compatible Metal Gate
Electrode For pFETs And Method For Fabrication

Attorney's Docket No.: 64,610-062
(YOR920010633US1)

#2
1-18-02
Payton

APPOINTMENT OF ASSOCIATE ATTORNEY

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney, who has been appointed as an attorney in the combined Declaration and Power of Attorney for the above-identified application, hereby appoints RANDY W. TUNG (Reg. No. 31,311) of TUNG & ASSOCIATES, 838 W. Long Lake Road, Suite 120, Bloomfield Hills, Michigan 48302, (Telephone: (248) 540-4040) as associate attorney to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all official communications to Randy W. Tung at the address cited above.

Respectfully submitted,
Attorney for the Applicant(s)


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